



Chairman: David Vaught

Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

May 8, 2013

Bill Grunloh  
Chief Procurement Officer  
Illinois Department of Transportation  
Executive Ethics Commission  
2300 S. Dirksen Pkwy  
Room 200  
Springfield, Illinois 62764

**Re: 50-35 Potential Conflict of Interest, PTB 167, Item 20**

Dear Mr. Bill Grunloh,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received May 7, 2013 and understand the facts to be as follows:

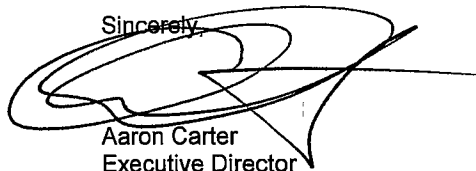
- 1) The Illinois Department of Transportation has issued a request for a review and comment on potential conflicts of interest disclosed by HDR Engineering, Inc.
- 2) The contract pertains to Phase I and/or II engineering services including environmental services that are required for various projects throughout District 2.
- 3) HDR Engineering, Inc. was selected using Competitive Sealed Bid, Contractor, and Sub-contractor agreement.
- 4) The disclosure form submitted on behalf of HDR Engineering, Inc. indicates the following:
  - a. Patrick Pechnick has disclosed his spouse was employed by IDOT, and retired on 12/31/11.
  - b. Michael Kelly has disclosed his mother worked for the Illinois State Board of Education, and retired 2/29/12.
- 5) The Illinois Department of Transportation confirmed that none of the disclosed individuals were in a position to influence the award of this contract. The Illinois Department of Transportation and CPO Bill Grunloh indicate that it would be in the best interest of the State to approve this conflict of interest due to the using agency's needs and the value of the contract.

Based on the foregoing, you are requesting my review and comment pursuant to the Illinois Procurement Code.

Review and Comment

After careful review of the documentation provided, I do not view the relationships disclosed above as creating a conflict of interest sufficient to preclude the Illinois Department of Transportation from entering into a contract with HDR Engineering, Inc. for the services outlined in your letter received May 7, 2013.

Sincerely,



Aaron Carter  
Executive Director

Cc: EEC General Counsel



# CHIEF PROCUREMENT OFFICE

Bill Grunloh, Department of Transportation - Highway Construction

May 7, 2013

Procurement Policy Board  
222 South College Street, Suite 231  
Springfield, IL 62704

RE: Conflict of Interest Disclosure-Consultant-HDR Engineering, Inc., PTB 167, Item 20

Mr. Carter:

Included herewith is the potential conflict of interest form for the above mentioned consultant, selected by the Consultant Selection Committee with the Illinois Department of Transportation. This consultant selection was made via Qualification Based Selection pursuant to the evaluation procedure as provided for in 30 ILCS 535/30. The services expected of the consultant with respect to this selection include: Phase I and/or II engineering services including Environmental Services are required for various projects throughout District Two. Work orders under the blanket agreement will be negotiated and authorized by the department on an as-needed basis.

The Phase I work, if required, may consist of conducting route surveys, hydraulic surveys, hydraulic analyses, geometric studies, and preparing Project Reports (Categorical Exclusion projects only). This work may include data collection, development of alignment alternatives, cost estimates, traffic management analysis, accident analyses, type, size and location (TS&L) drawings, structure plans, and other related work and exhibits necessary to produce the Project Report.

The Phase II work, if required, may consist of conducting route surveys, land surveys, hydraulic analyses, geometric studies, and preparation of TS&L drawings, structure plans, roadway plans, and any other related work to complete final plans, special provisions and estimates.

HDR has disclosed the following information concerning their partners: Patrick Pechnick has disclosed his spouse was employed by IDOT, and retired on 12/31/11. Michael Kelly has disclosed his mother worked for the Illinois State Board of Education, and retired 2/29/12.

This completion date for this contract will be 24 months after authorization to proceed.

This conflict has been reviewed by our office, and it has been determined that this is not an actual conflict and will not interfere in the execution of this contract.

If you have any questions concerning this request, please contact Carrie Kowalski, Consultant Unit Chief, Consultant Services Unit, at 217-782-6916.

Sincerely,

Gretchen Tucka,  
State Purchasing Officer

Enclosures

STATE OF ILLINOIS  
PROCUREMENT POLICY BOARD  
CONFLICT OF INTEREST REVIEW  
CHECKLIST

Please ensure that the following documents are included with your request:

- ☒ Cover letter with overview of the potential Conflict of Interest
  - ☒ Conflict of Interest Review Request Form
  - ☒ Copy of Proposed Contract\*
  - ☒ Any Prequalification Information Submitted by the Vendor
  - ☒ Prior Procurement Policy Board/Office of the Governor Conflict of Interest Review Letter for this Vendor
  - ☐ Copy of the Disclosure/Certification Documents Submitted by the Vendor
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\*may be the proposed contract sent in with a RFP response, a copy of the solicitation response, etc.

Please scan original documents\*\* with signatures and email to:

aaron.carter@illinois.gov  
cc: deanna.rossetto@illinois.gov

If you are unable to scan and email the original signed documents, please send to:

Procurement Policy Board  
222 South College Street, Suite 231  
Springfield, IL 62704

\*\*If you scan and email the original documents, please do not send the original documents to our office. Please keep the documents in your procurement file.

## CONFLICT OF INTEREST REVIEW REQUEST FORM

The following information must be filled in as accurately and completely as possible. This form will be sent to the Procurement Policy Board providing essential information needed to review and determine if an actual conflict of interest exists, which is sufficient to preclude the State from entering into the attached proposed contract pursuant to section 50-35(d) of the Illinois Procurement Code.

### CONTRACTING AGENCY INFORMATION

Using Agency: Department of Transportation

Address: 2300 S. Dirksen Parkway City/State: Springfield, IL

Contact Person: Carrie Kowalski Title: Consultant Unit Chief

Phone: 217-782-6916 Fax: 217-524-9327

Email: carrie.kowalski@illinois.gov

### VENDOR INFORMATION FOR VENDOR WITH POTENTIAL CONFLICT

This Vendor is: ☒ Prime Vendor ☐ Sub-contractor

Name of Vendor: HDR Engineering, Inc.

Address: 8550 West Bryn Mawr Avenue, Ste 900 City/State: Springfield, IL

Contact Person: Patrick Pechnick Title: President

Phone: 773-380-7900 Fax: 773-380-7979

Email: patrick.pechnick@hdrinc.com

Procurement Bulletin Reference Number: PTB 167-Item 20 Date Posted to Bulletin: 2/7/2013

### CONTRACT INFORMATION

Describe the need for this procurement or proposed contract: Phase I and/or II engineering services including Environmental Services are required for various projects throughout District Two. Work orders under the blanket agreement will be negotiated and authorized by the department on an as-needed basis. All work for this project will be in English units.

The Phase I work, if required, may consist of conducting route surveys, hydraulic surveys, hydraulic analyses, geometric studies, and preparing Project Reports (Categorical Exclusion projects only). This work may include data collection, development of alignment alternatives, cost estimates, traffic management analysis, accident analyses, type, size and location (TS&L) drawings, structure plans, and other related work and exhibits necessary to produce the Project Report.

The Phase II work, if required, may consist of conducting route surveys, land surveys, hydraulic analyses, geometric studies, and preparation of type, size and location (TS&L) drawings, structure plans, roadway plans, and any other related work to complete final plans, special provisions and estimates.

Total Contract Amount (Estimate if actual is unknown): \$ 600,000.00

Contract Begin Date: Upon authorization to proceed is received. Contract End Date: This completion date for this contract will be 24 months after authorization to proceed.

Describe any Renewal Options (i.e. One 2-year Option): No renewal Options.

### PROCUREMENT PROCESS

What was the method of procurement used to select this vendor? Qualifications Based Selection

If this vendor was selected using a competitive process, how many vendors responded to the bid? Not Applicable

Were any vendors disqualified? Not Applicable

If yes, please explain why.

If a multiple award, how many vendors were awarded a contract? Not Applicable

Were there any instances of low vendor rejections? Not Applicable

If yes, please explain why.

#### EXPLANATION OF POTENTIAL CONFLICTS OF INTEREST

For each individual identified as causing a potential conflict of interest, include the following information: name, relationship (if applicable), Agency of State employment, start date, job title and responsibilities. Indicate if any of the named individuals earn more than \$106,447.20 and explain the potential conflict of interest.

HDR has disclosed the following information concerning their partners: Patrick Pechnick has disclosed his spouse was employed by IDOT, and retired on 12/31/11. Michael Kelly has disclosed his mother worked for the Illinois State Board of Education, and retired 2/29/12.

If a prime vendor, did they disclose their use of lobbyists? ☐ Yes ☒ No

If yes, did the lobbyists lobby on behalf of the vendor to secure this contract? ☐ Yes ☐ No

PROVIDE A WRITTEN STATEMENT SIGNED BY THE AGENCY REPRESENTATIVE FOR YOUR AGENCY STATING:

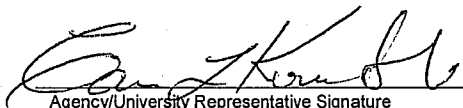
1. Is the conflict an actual conflict and whether or not any of the above named individual(s) were in a position to influence the State's award of this contract.

No. The disclosed individuals were not in any position to influence the consultant selection committee.

2. Why is it in the best interest of the State to proceed with this contract.

This will assist the Department in receiving TIGER grant funds and continue to serve the Department's mission of building safe roads and bridges for the motoring public.

#### AGENCY/UNIVERSITY REPRESENTATIVE SIGNATURE

  
Agency/University Representative Signature

Carrie Kowalski

Agency/University Representative Printed Name

5/7/2013

Date

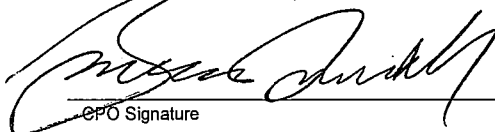
217.782.6916

Agency/University Representative Telephone

carrie.kowalski@illinois.gov

Agency/University Representative Email Address

#### CPO SIGNATURE REQUIRED

  
CPO Signature

Bill Grunloh

CPO Printed Name

5/7/2013

Date

217.558.5434

CPO Telephone Number

bill.grunloh@illinois.gov

CPO Email Address